

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO**

In re)	Case No.
)	
)	APPLICATION FOR UNCLAIMED
)	FUNDS AND ORDER THEREON
Debtor(s))	

I, the undersigned applicant, under penalty of perjury under the laws of the United States of America declare (or certify, verify or state) that the following statements and information are true and correct:

1. I am making application to receive the total amount of \$_____ which is the sum of all monies deposited with the Court by the case trustee on the following date(s)_____ on behalf of the creditor _____.

2. (Please check and complete the applicable subparagraph below):

___ A. I am the creditor named in paragraph 1.

___ B. I am an employee of the creditor named in paragraph 1 and my title is _____. The creditor is still legally entitled to the monies and I am authorized by the creditor to file this petition.

___ C. I am the lawful attorney-in-fact for the creditor named in paragraph 1 and I am duly authorized by the attached original power of attorney to file this application. I am aware of all pertinent state law requirements regarding such powers of attorney, and acknowledge that I am solely responsible for payment of these funds to the creditor. The following is the creditor's address and phone number, and a brief history of the creditor (from filing of the claim to present) which includes, if applicable, identification of any sale of the company and the new and prior owners(s).

___ D. Subparagraphs A,B & C above do not apply, but I am entitled to payment of such monies because (state basis for your claim):

3. I understand that, pursuant to 28 U.S.C. § 152, I shall be fined not more than \$5,000, or imprisoned not more than five years, or both, if I have knowingly and fraudulently made any false statements in this document.

DATE executed by Applicant:_____

Applicant's Signature

Type or Print Applicant's Name

Applicant's Address ()
Telephone Number

Funds are available and a copy of this document was mailed to the U.S. Attorney, Box 32, Boise ID 83707 on _____ by the Bankruptcy Court Financial Administrator _____.

IT IS SO ORDERED.

DATED: _____

U.S. BANKRUPTCY JUDGE

U. S. BANKRUPTCY COURT DISTRICT OF IDAHO

POLICY STATEMENT

Pursuant to Local Bankruptcy Rule 3011.1 the following procedures will govern the DISBURSEMENT OF UNCLAIMED FUNDS by the Clerk of Court:

1. A party seeking disbursement of unclaimed funds, being held by the Court must file an application using the Court's prescribed form or a likeness. The Clerk of Court will submit a copy of the completed application to the U.S. Attorney's Office for the District of Idaho.
2. An application submitted by a corporation, shall be executed by the President or Chairman of the Board of Directors and accompanied by verification of capacity, i.e., Articles of Incorporation, Board Meeting Minutes, or other appropriate documentation.
3. All applications must contain the name, address and telephone number of the creditor. Evidence of or any change of ownership must be shown. If applicable, furnish proof of any sale of the company, stating new and prior owner. A copy of the terms of any purchase agreement or stipulation by prior and new owners of right of ownership to the unclaimed funds must be provided. If the claim has been assigned, copies of all documents evidencing assignment must accompany the petition.
4. A representative of an estate of a deceased claimant shall submit certified copies of all probate documents to substantiate the representative's right to act on behalf of the decedent's estate.
5. An original power of attorney must accompany the application and proposed order if the funds are to be sent to an agent of the claimant. If the creditor submits an application claiming the same funds, the monies shall be paid to the creditor providing disbursement has not already been made. The creditor's request will be considered a revocation of the agent's power of attorney. If applications are received from more than one agent and the funds have not been disbursed, no disbursement will be made until the matter has been settled by a hearing before the Court.

6. The financial administrator shall review applications for completeness and verify funds availability, the amount requested, and claimant. Thirty days after receipt of the application, if no objection to disbursement has been filed, the proposed order will be presented to the Court. An objecting party must set a hearing before the Court prior to disbursement.
7. The Clerk of Court will make disbursements payable only in the name of the creditor even though submitted by an agent. Disbursement is to be made by registry fund check if the funds are being held in the Court's local bank registry, or by U.S. Treasury check when funds are in the U.S. Treasury trust account.
8. An application which is not acceptable shall be returned to the claimant or agent thereof with an explanation for the return. Any later application received will be processed without consideration of a prior application that was returned.
9. Payments will be posted to the computer ledger upon issuance of a check. The finance department's copy of the trustee's turnover will be augmented to show payments made.
10. The application and order for disbursement will be docketed and placed in the file. If the case is in the archives, the application will be filed with the trustee's turnover in the permanent financial file.

Any questions regarding unclaimed funds should be made to the Financial Department of the U.S. Bankruptcy Court, U.S. Courthouse and Federal Building, 550 West Fort Street, MSC 042, Boise, Idaho 83724. Telephone number is (208) 334-9397.